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ABSTRACT

In 1978 the U.S. Congress passed the Control of Paperwork Amendments to control education-related paperwork and reduce unnecessary reporting. A study by the General Accounting Office (GAO) found that by 1981 the requirements of the law had yet to be met. According to the GAO, the Secretary of Education should reactivate the Federal Education Data Acquisition Council; ensure that only under very unusual circumstances will information collection requests not publicly announced prior to February 15 before the school year be imposed on respondents; implement all the paperwork amendments' requirements; work with the federal Office of Management and Budget to develop efficient coordinating procedures and compatible automated systems for identifying information collection redundancies; and conduct feasibility and cost analyses of automated indexing system alternatives before undertaking further system development. This document discusses the factors considered by the GAO in developing these recommendations, describes the recommendations in greater detail, and presents the Department of Education's responses to the recommendations. Appendixes include the text of the relevant amendments and related legislative material. (Author/PGD)

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BY THE COMPTROLLER GENERAL

Report To The Congress

OF THE UNITED STATES

Education Paperwork Requirements Are Burdensome: Better Federal Controls Needed

Next year over 11 million respondents will spend more than 41 million hours completing federally required education-related paperwork The Department of Education could reduce the paperwork burden by improving its review process and by fully implementing the 1978 Control of Paperwork Amendments. For example, the Department needs to eliminate unauthorized forms and enforce an approval and advance notice deadline for new requirements. Failure to enforce this deadline in 1980 and 1981 for 86 requirements resulted in over 1 million hours of paperwork burden.

Also, to support the Paperwork Reduction Act of 1980, OMB needs to work with the Department to develop interagency review coordination procedures and eliminate duplicative internal processing forms.

This report contains recommendations to OMB and the Department to improve their paperwork controls. It also recommends that the Congress amend legislation to limit the Department's review and coordination authority to Department information collection requests.

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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON D.C. 20548

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To the President of the Senate and the
Speaker of the House of Representatives

This report discusses the need for a more concentrated effort by the Department of Education to better control education-related Federal paperwork and for the Office of Management and Budget to coordinate with the Department in this effort. We made this review to assess how well these agencies were implementing specific legislation designed to reduce this Federal paperwork burden.

We are sending copies of this report to the appropriate House and Senate committees; to the Director, Office of Management and Budget; and to the Secretary, Department of Education.

Charles A. Bowsher

Comptroller General
of the United States

COMPTROLLER GENERAL'S
REPORT TO THE CONGRESS

EDUCATION PAPERWORK REQUIREMENTS ARE BURDENSOME: BETTER FEDERAL CONTROLS NEEDED

D I G E S T

The Department of Education (ED) needs to better control Federal education-related paperwork by improving the effectiveness and efficiency of its review process and by fully implementing legislation designed to reduce such paperwork. The Office of Management and Budget (OMB) needs to more effectively carry out its paperwork control oversight responsibilities by coordinating closely with ED and providing appropriate guidance. This Federal paperwork affects over 11 million respondents and requires more than 41 million hours to complete annually.

LEGAL REQUIREMENTS NOT BEING MET

In 1978 the Congress passed the Control of Paperwork Amendments to better control education-related paperwork and reduce unnecessary reporting. These amendments required the Secretary of the then Department of Health, Education, and Welfare (transferred to the Secretary of ED in 1979) to take specific actions to coordinate and control this paperwork (see p. 2). However, 3 years after passage, these education amendments have yet to be fully implemented.

First, the Secretary needs to reactivate the Federal Education Data Acquisition Council which the amendments established to represent both the public and Federal agencies in advising and assisting ED in education-related information collection matters and in approving paperwork review policies, practices, and procedures. (See pp. 5 and 6.)

Next, routine education-related information requests have been imposed on the public which had not been approved and publicly announced by February 15 preceding the school year as required by law. During the past 3 years the Secretary published 586 "proposed" collection requests subject to late approval and use after the deadline. ED officials said this practice will be discontinued for the 1982-83 school year. (See p. 6.)

ED has not developed the required automated indexing system for cataloging information and identifying redundant collection requests. A $340,553 contractor-developed system was never updated, little used, and important data were partially erased. Current actions to reactivate and update the existing system should be deferred until feasibility and cost studies of alternative approaches have been conducted. (See ch. 4.)

Although ED is required to coordinate and control all education-related information requests, the Secretary has allowed both OMB and other agencies to determine if specific requests were subject to the education amendments' review and approval provisions. This has caused inconsistencies and has prevented some education-related requests from being identified and reviewed by ED. (See pp. 9 and 10.)

Finally, ED has not provided adequate oversight information to the Congress on ED activities. Although ED reported to the Congress within the 3-year period required by law, its report did not address the implementation of all provisions of the amendments or recommend any legislative changes to reduce undue burdens. (See pp. 7 and 8.)

ED'S PAPERWORK REVIEW PROCESS SHOULD BE MORE EFFICIENT AND EFFECTIVE

Although the amendments have been in effect for 3 years, related paperwork review

guidelines have never been formalized. ED's paperwork review staff--some new and inexperienced--must rely on several different sets of guidelines, none of which provide ED reviewers with detailed guidance. (See p. 17.)

Enforcing the February 15 deadline and eliminating unauthorized forms would reduce the paperwork burden. During 1980 and 1981 ED approved 86 information collection requests which did not meet the February 15 deadline. Officials estimated these requests would take 419,000 respondents over 1 million hours to complete annually. Also, in one ED office GAO identified 22 information collection requests which were either never approved or expired. (See pp. 17 and 18.)

ED could also shorten its paperwork review processing time. Although its initial review time seemed reasonable (averaging about 2 months), it took an average of almost 5 weeks to obtain final approval because staff-reviewed information collection requests were allowed to accumulate before being submitted for approval. (See pp. 18 and 19.)

Recently the Paperwork Reduction Act of 1980 transferred ED's final paperwork approval authority to OMB. ED and OMB are using three partially duplicative internal processing forms, and their respective review procedures have not been effectively coordinated. (See pp. 16, 17, and 19.)

LEGISLATIVE ACTION IS NEEDED

ED's reviews of other Federal agencies' education-related information requests are beset with problems. ED's authority to review other Federal agencies' education-related information requests is unnecessary and should be eliminated. No other agency has similar multiagency review authority over information collections in a specific program area.

ED's multiagency reviews have not been systematically or consistently performed

Tear Sheet

and cannot be legally enforced. Difficulty in identifying education-related information requests creates confusion, extra paperwork, and processing delays. In addition, other provisions of the education amendments, some of which are similar to provisions in the Paperwork Reduction Act of 1980, were not actively being implemented. (See pp. 9 to 11 and 20 and 21.)

WHY THE REVIEW WAS MADE

During the past 5 years educational funding has increased substantially with a resulting increase in Federal paperwork. In 1978 the Congress passed the Control of Paperwork Amendments to enable the Secretary to reduce unnecessary, redundant, ineffective, or excessively costly information collection requests. GAO conducted this review to determine if the Secretary was efficiently and effectively implementing the amendments' provisions.

RECOMMENDATIONS TO THE SECRETARY OF EDUCATION

The Secretary of Education should:

--Reactivate the Federal Education Data Acquisition Council.

--Ensure that, except under urgent or very unusual circumstances, only education-related information collection requests which have been approved and publicly announced by the February 15 preceding the school year are imposed on respondents.

--Implement all education amendments' requirements for controlling education-related paperwork.

--Work with OMB to develop efficient coordinating procedures and compatible automated systems for identifying information collection redundancies.

--Conduct feasibility and cost analyses of automated indexing system alternatives before undertaking further system development.

See pages 13, 22, and 28 for details and further recommendations.

RECOMMENDATION TO THE DIRECTOR, OMB

The Director of OMB should, as part of OMB's responsibility under the Paperwork Reduction Act of 1980, issue official guidance on review coordination procedures between ED and OMB. (See p. 23.)

RECOMMENDATION TO THE CONGRESS

The Congress should amend the Control of Paperwork Amendments of 1978 to limit ED's review and coordination authority to ED information collection requests. (See p. 13.)

AGENCY COMMENTS AND GAO'S EVALUATION

ED agreed with GAO's recommendations to the Secretary and stated that corrective action either had been taken or was planned. GAO commends ED for making improvements but questions the adequacy of some of the stated actions. For example, ED (1) did not discuss how or when it planned to implement specific education amendment provisions and (2) chose a "rudimentary" mini-computer package to meet its automated indexing system needs without conducting recommended feasibility and cost analyses. (See pp. 13, 23, and 29.)

OMB agreed with GAO that it needed to issue official guidance on review coordinating procedures and stated that its Circular A-40, when revised, would meet this need. GAO encourages OMB to expeditiously implement this recommendation. The OMB Circular A-40 has been under revision for over 2 years. (See p. 24.)

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ABBREVIATIONS

ED	Department of Education
FEDAC	Federal Education Data Acquisition Council
GAO	General Accounting Office
OMB	Office of Management and Budget

CHAPTER 1

INTRODUCTION

This report discusses how the Department of Education (ED) controls and manages the information reporting burden imposed by the Federal Government on educational agencies and institutions. While most types of reporting requirements are subject only to internal agency review and final Office of Management and Budget (OMB) approval, the Congress, acknowledging the formidable size of the education-related burden, enacted special legislation in 1978 to coordinate and control education-related Federal paperwork. Under this legislation ED is responsible for overseeing education-related reporting requirements generated by a number of different programs and agencies with a view to reducing the burden and maximizing the efficiency and effectiveness of data collection activities.

THE EDUCATION PAPERWORK BURDEN HAS BEEN STEADILY INCREASING

Over the last few decades the Federal role in education has expanded dramatically. The many pieces of education legislation passed during this time, such as the Elementary and Secondary Education Act, the Higher Education Act, and the National School Lunch Act, testify to this growing role. During the past 5 years educational funding has increased substantially. For example, during this period basic education grants and guaranteed student loans increased about 300 percent from less than 1/2 billion dollars and a little over 1 billion dollars, respectively, to nearly $2.5 billion and $3 billion. Proposed Federal funding for education in fiscal year 1983 exceeds $13 billion.

Increased Federal funding has, in turn, increased requests for information from the educational community. The magnitude of this paperwork burden is reflected by Federal Register lists of education-related information collection requests. In February 1982, the Federal Register listed 232 approved requests affecting 11.7 million respondents and requiring 41.2 million hours to complete. The increasing paperwork burden has become a major source of complaints from State and local participants in Federal programs, some of whom perceive the burden to be out of proportion to the level of Federal funding they receive.

Demands for information from educational institutions are made not only by the many bureaus, divisions, and offices now in ED but by other agencies which fund education-related programs, such as the Veterans Administration, the Department of Agriculture, and the National Science Foundation.

LEGISLATION CENTRALIZED FEDERAL CONTROL OVER EDUCATION-RELATED PAPERWORK

Effective October 1, 1978, the Congress passed the "Control of Paperwork Amendments" to the General Education Provisions Act to stem the education paperwork explosion and to improve the efficiency and effectiveness of data collection. The amendments established a centralized structure for approving education-related paperwork. They also made the Secretary of Health, Education, and Welfare responsible for reviewing, coordinating, and approving data collection requests by Federal agencies whenever (1) the respondents were primarily educational agencies or institutions and (2) the collections were requesting information needed for the management or formulation of policy related to Federal education programs or studies related to the implementation of Federal education programs. 1/

To advise and assist the Secretary in this regard and to prescribe procedures for paperwork review, these education amendments established the Federal Education Data Acquisition Council (FEDAC). FEDAC members are appointed by the Secretary from both the public and the major Federal agencies engaged in the collection and use of education data. FEDAC is required to meet regularly during the year and must be headed by an individual from an agency with expertise in data collection but with no major education data collection activities.

Other major provisions of the education amendments included requirements for the Secretary to (1) approve and publicly announce all education-related information requests by February 15 preceding the beginning of the new school year, (2) develop an automated indexing system for cataloging all available data, (3) establish uniform reporting dates among Federal agencies, and (4) provide progress reports to the Congress at least once every 3 years.

ORGANIZATIONAL CHANGES HAVE AFFECTED ED REVIEW FUNCTIONS

Under the Department of Education Organization Act, approved October 17, 1979, the paperwork control function was transferred from the Secretary of Health, Education, and Welfare to the new Secretary of Education. Then, the Paperwork Reduction Act of 1980, effective April 1, 1981, transferred final approval authority for education-related information collection requests from the Secretary of Education to the Director, OMB. In

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1/Currently the responsibility of the Secretary of Education.

addition to reaffirming the Secretary's review responsibilities for such requests, the act expanded them to include any information collection requests that either were directed primarily to educational agencies or institutions or pertained to Federal education program management, policy, or implementation. Previously, requests were submitted to the Secretary only if they met both of these conditions.

Day-to-day implementation of the Secretary's review responsibilities has been carried out by what is commonly referred to as the FEDAC staff. This staff, comprised of ED employees, has undergone a series of reorganizations and staffing changes since it became operational in April 1979. Initially, it was established in the National Center for Education Statistics and was staffed by temporarily assigned personnel. The Center found it increasingly difficult, however, to provide the required support in the face of reductions in its personnel ceilings. In December 1980, because of the growing paperwork burden, a developing review backlog, and competing Center priorities, ED opted to relocate the FEDAC staff in its Office of Management. At the same time, as an efficiency measure to eliminate duplications of functions and review cycles, the staff was consolidated with ED's forms clearance office as the Division of Education Data Control.

Reorganizations affecting the activities discussed in this report were not limited to ED's internal sphere. As indicated previously, both FEDAC and the FEDAC staff were part of the transition of programs and personnel that accompanied the creation of ED out of the former Department of Health, Education, and Welfare. Proposals for Government-wide reorganization currently being formulated by President Reagan include abolishing ED and relocating its essential functions. Since paperwork control and management is an essential function and the education amendments would remain in effect, it most likely would become the responsibility of another Government organization. Thus, eliminating ED would simply reverse the transfer of functions which occurred when the Department was created.

OBJECTIVES, SCOPE, AND METHODOLOGY

We evaluated the paperwork control and review activities of ED. Our objective was to determine to what extent the Secretary of Education was implementing the provisions of the education amendments and to assess the efficiency and effectiveness of ED's implementation activities. This review was performed in accordance with GAO's "Standards for Audit of Governmental Organizations, Programs, Activities, and Functions."

As part of our evaluation of the adequacy of controls and procedures established for managing education-related paperwork,

we reviewed the accomplishments of FEDAC. We interviewed former Council members, reviewed minutes of FEDAC meetings and other Council documents, evaluated the policies and procedures established by the Council, and determined its current status and membership. We also analyzed the workings of the FEDAC staff. We interviewed current and former staff members and reviewed staff memoranda, guidelines, and reports. Funding and staffing arrangements also were evaluated.

We reviewed ED's clearance files to assess ED's paperwork processing efficiency and control. This included determining to what extent the education-related information collection requests were being approved and publicly announced by February 15 prior to the new school year. We also assessed the timeliness of ED's clearance reviews.

We reviewed OMB's clearance files to determine if unapproved education-related information requests were being imposed on the public. We discussed specific requests whose titles suggested they were education related with OMB and applicable agency clearance officials.

In addition to evaluating ED's paperwork processing controls, we also talked with top-level officials and reviewed appropriate documents in evaluating the Secretary's compliance with other education amendment provisions. Evaluating the requirement to develop an automated indexing system included a review of contract files and discussions with ED officials. We made this evaluation to assess the extent to which the system was being used, current status of the existing system, recent funding arrangements, and agency plans for further system development. We also discussed with ED officials other amendment provisions such as the requirement to establish uniform reporting dates among Federal agencies.

To obtain respondents' views on ED clearance activities, we interviewed officials from the National Association of Independent Colleges and Universities, the State Higher Education Executive Officers organization, and the Committee on Evaluation and Information Systems of the Council of Chief State School Officers. We also attended the committee's 1981 annual meeting.

Our work did not include assessing the extent to which ED review had eliminated unnecessary or redundant information requests nor the efficiency and usefulness of individual requests which have been approved. These and other issues have been targeted for a subsequent review.

CHAPTER 2

CONTROLS OVER EDUCATION-RELATED PAPERWORK DO NOT FULFILL LEGAL REQUIREMENTS

ED needs better controls to comply with the law and effectively manage the paperwork burden imposed on the education community. Although the education amendments were enacted over 3 years ago, most of their provisions have not been fully implemented. ED needs to reactivate FEDAC, enforce paperwork review and approval requirements, and place higher priority on complying with other provisions of the amendments. In addition, the Congress should amend the legislation to limit the scope of ED's review authority to ED requests.

POLICYSETTING FEDAC MEETINGS SHOULD BE REGULARLY HELD

The 1978 act provides that FEDAC meet regularly during the year to advise and assist the Secretary with education-related information collections. The Council has not met, however, since November 1979 and held only one meeting prior to that time. Former Council members attributed the Council's inactivity to upheaval accompanying the formation of ED and the continuing possibility (prior to passage of the Paperwork Reduction Act) that FEDAC would be abolished through new legislation. The Secretary has not appointed new members to Council vacancies which have periodically occurred and has not scheduled additional Council meetings.

The Council's primary accomplishment was to develop and approve interim FEDAC review procedures. The procedures were published in the August 8, 1979, Federal Register and comments were obtained. Revisions based on the comments were considered at the November 1979 Council meeting but were never formalized. Thus, the procedures in effect remain "interim."

In the policymaking area, the Council left one major issue unresolved and gave incorrect advice on another. It never provided the guidance necessary to identify and control education-related information collection requests. Interim criteria were inadequate because they did not enable ED to determine which paperwork requests were education related and subject to the review provisions of the education amendments. Also, applicable education-related programs were never identified. Although this issue was debated by the Council, it was never resolved. Further discussion was planned for future Council meetings, but none were ever held.

One of the policies the Council did establish violates the intent of the law. The education amendments generally provide

that "no information or data will be requested of any educational agency or institution unless that request has been approved and publicly announced by the February 15 immediately preceding the beginning of the new school year." The Council, however, agreed on a broader interpretation of this requirement. Its interim procedures state that the Secretary may review and give final approval to data activity plans and data collection instruments after February 15. If reactivated, as we recommend, the Council should revise this position to conform to the law.

ADVANCE APPROVAL AND ANNOUNCEMENT OF INFORMATION COLLECTION REQUESTS SHOULD BE ENFORCED

ED routinely approved information collection requests after the February 15 deadline and allowed them to be imposed on the public. Also, it did not ensure that all approved requests were publicly announced as required.

In congressional hearings which preceded the passage of the education amendments, witnesses most frequently complained that they were not given sufficient advance notice of information requests to properly prepare for collection. They claimed that often they were not informed of major Federal collections until shortly before or after the start of the school year. The amendments addressed this problem by requiring advance approval and notification by the February 15 deadline.

However, ED compliance with both the approval and announcement provisions of the law has been incomplete. During the past 3 years the Secretary allowed 586 "proposed" collection requests to be listed subject to later approval and use after the February 15 deadline. During 1980 ED approved 56 of the "proposed" requests. In addition, ED approved other requests which were never announced. We found 30 such approved, unannounced requests for school years 1980-81 and 1981-82 in ED's clearance files. (The impact of these requests is discussed further in ch. 3.)

ED officials maintained that in the past, factors such as the long lead time required for the design, negotiation, and execution of contractor studies; congressional reauthorization schedules; and Federal grant program formula changes necessitated flexibility in applying the February 15 approval deadline. Nevertheless, ED officials told us that they plan to strictly enforce this deadline for school year 1982-83 requests and that they have in fact granted only 15 postdeadline approvals for current school year requests.

OTHER LEGISLATIVE PROVISIONS NEED TO BE ADDRESSED

In addition to establishing a centralized review structure, the education amendments contained other provisions designed to reduce the education-related paperwork burden. However, most of these provisions have not been comprehensively addressed.

Required report to the Congress was incomplete

Although ED submitted a report to the Congress within 3 years as required by law, it failed to include required information. Specifically, ED did not address its implementation of several provisions of the education amendments; nor did it make recommendations for revisions to any Federal laws which the Secretary found were imposing undue burdens on educational institutions. For example, ED did not address its efforts to implement the required automated indexing system and made no legislative change recommendations to assist it in establishing uniform reporting dates. (See p. 8.) The report, dated January 1980, was submitted to the Senate Committee on Appropriations in response to a Committee inquiry about paperwork coordination and reduction activities. It described the FEDAC review staff's efforts during the period April through December 1979, showed the total burden hour reduction achieved by its clearance activities, and analyzed the reduction by school level for each ED office and bureau. The report concluded that, on the basis of the achievements it described, the intent of the education amendments was indeed being realized.

ED planned to issue another implementation report to the Congress by March 31, 1982. However, this report will have to contain more information than its predecessor if it is to meet the law's requirement.

Procedures for reporting program data to a single Federal or State educational agency have not been developed

ED has never attempted to develop the required procedures enabling respondents to submit to one agency information required under any Federal education program. During the second Council meeting, several officials expressed the view that this requirement was confusing and would be unwieldy, if not impossible, to implement. Furthermore, officials informed us that educational agencies and institutions had expressed no interest in such procedures.

Action to establish uniform reporting dates has been limited

ED has done little to establish uniform reporting dates among Federal agencies. According to one official, significant progress in establishing uniform dates could be achieved only if the Congress assisted by changing legislatively mandated dates. Officials could not cite any examples, however, of reporting date proposals submitted by ED to the Congress. Also, no such proposals were included in ED's implementation report to the Congress. Officials said that ED had not conducted any studies to ascertain the nature and extent of reporting date problems or to identify feasible remedies. Recently, however, ED has taken one step in meeting this provision. Officials told us that in August 1981 several ED program officials met and agreed to require all colleges and universities to report higher education enrollment survey data by October 1.

Automated indexing system was inadequate and not routinely used

ED never fully met the law's requirement to develop an automated indexing system for cataloging all available data and to use it to identify redundant information requests. A redundancy checking system was being developed under a Department of Health, Education, and Welfare contract at the time the law was passed and was completed in late 1979. The FEDAC staff determined that installing this system constituted compliance with the law. The redundancy checking system was inadequate for this purpose, however. It had a limited data base (requests generated only by the former Department of Health, Education, and Welfare's Education Division and Office for Civil Rights) and was never updated after it became operational. Moreover, ED did not routinely use it as a review tool. (See ch. 4 for details.)

State grants for information systems have never been made

ED has neither taken nor planned any action to make grants to State educational agencies for the development or improvement of education management information systems. Funds were never appropriated for this purpose and, according to one ED official, the likelihood that they will be appropriated in the near future is very low given the prevailing emphasis on program budget cuts. ED, however, has never asked the Congress to provide funding under this provision.

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The Secretary was required to carry out the above mentioned provisions under three different conditions. The Secretary was

required, without qualification, to develop procedures for reporting to single agencies and to periodically report to the Congress. The requirements to develop uniform reporting dates and an automated indexing system were to be implemented "insofar as practicable." Finally, the Secretary was "authorized" to make State grants. Although these provisions allowed the Secretary varying degrees of implementation flexibility, we believe more should have been done to implement all of them during the 3 years the law has been in effect.

ED'S REVIEW AND COORDINATION AUTHORITY SHOULD BE LIMITED TO ED REQUESTS

Current legislation authorizes ED review authority over all Federal agencies' education-related information requests. ED's multiagency reviews have not been consistent or controlled, and its authority to conduct such reviews cannot be enforced. We therefore believe this authority should be limited to only ED requests.

"Education-related" identifications lack consistent basis

ED has no consistent, meaningful basis for determining which information collection requests are education related within the context of the law. The education amendments provided only two broad criteria for making such a determination. The respondents had to be primarily educational agencies or institutions "and" (broadened to "or" under the Paperwork Reduction Act) the purpose had to be Federal educational program management, policymaking, or evaluation study. ED never developed adequate guidance for interpreting these criteria. Without such guidance ED relied on its own staff, OMB, and other agencies in identifying education-related requests, which resulted in inconsistent identification and lack of control.

In some instances ED independently made "education-related" determinations when asked by other agency officials. In November 1979, for example, the Social Security Administration contacted ED and requested guidance for information collection requests involving student benefits that required some action by school officials. On the basis of the information provided, ED determined the requests were not subject to its review.

At other times ED coordinated with OMB in determining which information collection requests it should review. For example, in January 1980, the director of the FEDAC staff and an OMB clearance officer reached a mutual agreement on which Department of Agriculture requests were subject to OMB review and which were subject to ED.

In still other instances ED allowed agencies to make the final determination. For example, the Department of Labor determined that none of its information collection requests were education related.

Requests are not being controlled

Lack of control has prevented some education-related requests from being identified and managed under the provisions of the education amendments.

OMB had independently assumed the review of some requests even though it considered them education related within the context of the law. A desk officer cited three instances in which OMB reviewed such requests for reasons of the "public interest." He said OMB reviewed the requests so the program officials could meet program deadlines. Desk officers also agreed four other OMB-approved requests probably should have been designated "education related" and approved by ED. They could not explain why OMB had approved them.

Although ED has disagreed with some designations, it has never officially contested them. For example, both the former and current directors of the FEDAC staff told us they believed ED should review information collection requests of the Department of Health and Human Services' Head Start program. OMB, however, has continued to review these requests as noneducation related. The former FEDAC staff director also told us he believed the Department of Labor's Comprehensive Employment and Training Act and Job Corps information collection requests are education related and should be subject to FEDAC review. These requests have not been designated "education related" and are being reviewed by OMB.

Law does not provide for enforcement

The education amendments provide no enforcement mechanism to assist ED in coordinating the education-related information requests of other Federal agencies. ED's only means of securing compliance is through persuasion. Limiting ED's review to its own requests would, in turn, limit its authority to an area over which it has control and help correct previously mentioned coordination problems. For example, it could then ensure compliance by including the education-related paperwork control provisions in its officials' performance contracts.

ED's multiagency oversight is unnecessary

ED's authority to review all Federal agencies' education-related information requests is unnecessary and should be eliminated.

Other agencies do not have Government-wide review authority over a similar specific subject area. For example, no similar oversight provision has been provided for one agency to monitor information requests related to medicine, welfare, energy, or transportation, etc. ED's former FEDAC review staff director and an OMB official stated that they could not explain why education needed any more special oversight than other Federal activities. Since OMB is authorized to review and approve virtually all Federal information collection requests directed to 10 or more respondents, additional multiagency reviews for other specific subject areas have not been authorized.

ED's multiagency review of education-related information collection requests is not working. Its review authority should be brought in line with that of other Federal agencies by limiting it to ED requests.

ADDITIONAL LEGISLATIVE CHANGE MAY BE NEEDED

In the 3 years since the education amendments were passed ED has done little to implement the major provisions. Also, the Congress has not been advised of ED's failure to implement the education amendments.

The Paperwork Reduction Act of 1980 strengthened controls over Federal paperwork and included agency requirements which covered many of the education amendments' provisions. This act gave the Director, OMB, overall authority to control paperwork and required each agency to appoint a senior official to oversee its information management activities. One such activity is controlling the collection, use, and dissemination of information. Finally, the act required OMB to establish a Federal Information Locator System containing summaries of all information collection requests made by Federal agencies to the public. Like the automated indexing system required of ED, this system will be used to pinpoint duplication in requests as well as to identify existing information that may meet the needs of the Congress or the public. OMB and the agencies are just beginning to carry out these responsibilities. If, and when, they fully implement the Paperwork Reduction Act's requirements, they will be performing some of the same functions as ED is currently required to do but on a broader scale.

Until ED conscientiously attempts to implement the education amendments' provisions, the effectiveness of the law cannot be determined. ED should be required to provide specific details of its implementation efforts in its next legally required implementation report. The Congress, through discussions with agency officials, by comparing ED's report to our findings,

and by considering similar Paperwork Reduction Act provisions, could then decide if the education amendments should be modified or deleted.

CONCLUSIONS

The Secretary of Education is responsible, under provisions of the 1978 education amendments, for controlling education-related Federal paperwork and for carrying out other activities directed toward reducing the education-related Federal paperwork burden. However, the Secretary has not taken all actions necessary to fulfill these responsibilities. Most of the legislative requirements either have been only partially addressed or else neglected.

FEDAC has not met regularly and thus, has not provided the Secretary with the policy and procedural guidance necessary to effectively review and coordinate information collection requests. Since the Secretary has not taken the steps necessary to reactivate the Council by appointing new members and establishing a meeting date, important policy issues remain unresolved, thus impairing effective implementation of the education amendments.

ED has not complied with the education amendments' provision which requires education-related information requests to be approved and publicly announced by February 15 preceding the school year. By routinely approving requests after the February 15 deadline and not insisting that all requests be publicly announced, ED denied respondents the legally authorized opportunity to review, assess, and react to education-related requirements well in advance. (See ch. 3 for further discussion.)

Although ED has established and operated a system for education-related paperwork review and approval, it has placed less emphasis on complying with other provisions of the law which could also significantly reduce burden. These include provisions relating to implementation reports to the Congress including recommendations for revisions to burdensome laws, procedures for submitting required information to a single agency, uniform reporting dates, and petitioning the Congress for State grants to develop information systems. Lack of funding and lack of a strong sense of need are factors which have limited ED's efforts in these areas. Despite such constraints, we believe ED can and should do more to address these provisions.

ED has not systematically and consistently identified and reviewed agencies' education-related information collection requests as required by law. ED's efforts have been hampered by inadequate guidance as well as lack of any legal basis for enforcement. Since ED's multiagency review efforts have been ineffective

and are covered by other legal provisions, ED's review activities should be limited to ED requests.

RECOMMENDATIONS TO THE SECRETARY OF EDUCATION

We recommend that the Secretary of Education:

--Reactivate the Federal Education Data Acquisition Council and ensure that it meets regularly and performs its duties as required by law.

--Take steps to implement the education amendments' requirements including such provisions as reports to the Congress, procedures for submitting required information to a single agency, and establishing uniform reporting dates.

RECOMMENDATION TO THE CONGRESS

We recommend that the Congress amend the Control of Paperwork Amendments of 1978 to limit ED's review and coordination authority to ED information collection requests. Suggested legislative language and a chart showing the effect of the proposed change appear in Appendixes II and III.

AGENCY COMMENTS AND OUR EVALUATION

Department of Education

ED agreed with our recommendations to the Secretary and cited planned actions to comply with them. ED is in the process of reactivating the Federal Education Data Acquisition Council and has scheduled a Council meeting for April 1982. We strongly encourage ED to adhere to this schedule, especially since the Council has not met regularly, as required by law, in over 2 years. Also, as indicated in our report, important information collection issues remain unresolved, pending consideration by the next Council.

Although ED agreed with our recommendation to implement the education amendments' requirements, it did not state how it planned to fully comply with them. ED discussed its plans for addressing one requirement only--to develop uniform reporting dates for State educational agencies that apply for Federal grants. However, ED did not mention any plans to implement the remaining education amendments including those highlighted in our recommendations. ED should take steps to fully implement all provisions of the education amendments.

ED disagreed with our recommendation to the Congress, asserting that it has fulfilled its role as envisioned by the Congress and that its paperwork reviews have been essential in eliminating redundant collection proposals. It also stated that over 83 percent of the education-related paperwork projected for school year 1982-83 would be imposed by agencies other than ED, such as the Departments of Agriculture and Labor. However, the following facts support our position that ED's review authority should be limited.

Congress intended that one of ED's primary roles would include identifying and reviewing all education-related information collection requests. Our report shows, however, that ED has not met this intent and has allowed OMB and other agencies to independently make "education-related" determinations. This lack of control has created inconsistencies, caused confusion, and prevented some education-related requests from being identified. For example, although ED stated that the Department of Labor imposes requests which are "education related," none were so identified and reviewed by ED during the past 2 school years.

We do not dispute ED's statement that its reviews successfully eliminated redundant information collection proposals. However, as we reported, the Paperwork Reduction Act of 1980 charged OMB with overall authority for reviewing and approving Federal information collection requests. According to OMB, since it undertook this responsibility, it has reduced the 1980 Federal paperwork burden by 17 percent. These efforts support our conclusion that vesting ED with review authority over other Federal agencies is unnecessary.

Finally, ED's statement that 83 percent of the education-related paperwork would be imposed by other agencies needs further explanation. Of the total education-related requests approved for school year 1982-83, over 75 percent of the burden originates from only two information collection requests--a Department of Agriculture collection request for its school food program and a National Science Foundation grant application. Excluding these two requests, ED is the largest collection agency and requires over 72 percent of the education-related Federal paperwork burden. Moreover, OMB has final review and approval authority over all agencies' requests including those reviewed by ED.

Office of Management and Budget

OMB agreed that ED's review and coordination authority should be limited. OMB said the responsibilities entrusted to FEDAC duplicated those vested in OMB by the Paperwork Reduction Act of 1980 and, thus, are no longer necessary. OMB added that

a provision for FEDAC was not to be included in the Administration's proposal for the Foundation for Education Assistance and indicated that this would eliminate the FEDAC requirement.

Although the 1980 Paperwork Reduction Act provides general controls over education paperwork, it does not include all of the specific provisions of ED's Control of Paperwork Amendments of 1978 (which include the FEDAC provisions). The chart in Appendix III shows specific responsibilities for the Secretary, ED, and FEDAC under both existing and proposed ED paperwork legislation. Until ED or its proposed successor tests the feasibility and usefulness of the Control of Paperwork Amendments by actively implementing them, these amendments should not be eliminated.

CHAPTER 3

EFFECTIVENESS AND EFFICIENCY OF ED'S PAPERWORK REVIEW PROCESS SHOULD BE IMPROVED

ED needs better paperwork controls and procedures to reduce the paperwork burden imposed on the education community. Paperwork review guidelines had not been formalized, the legally mandated February 15 deadline was not being enforced, and unnecessarily lengthy processing times were occurring. ED and OMB coordinating procedures also need to be revised and formalized.

ED'S PAPERWORK REVIEW PROCESS NEEDS STRENGTHENING AND STREAMLINING

The Secretary has had difficulty implementing the 1978 amendments regarding paperwork approval activities. For the first year and a half before ED was formed, the National Center for Education Statistics provided the bulk of the FEDAC review staff through temporary assignments. This arrangement did not provide sufficient staff or allow adequate time for persons to develop the needed competencies. An ED reorganization in February 1981 increased the staffing and authority of the review staff but also necessitated an adjustment period for the new office. Although planned projects include consolidating redundant paperwork processing forms currently required by ED and OMB and developing guidelines for initiating and processing information requests, more needs to be done.

Paperwork processing forms need to be consolidated or eliminated

ED and OMB currently use three separate internal forms in the review and approval process for information collection requests. Many aspects of these forms are redundant and should be consolidated.

OMB requires the SF-83, "Request for OMB Review," with supporting statement for Government-wide agency information collection requests. ED required the FEDAC 1000, "Data Plan Information," and supplement as a planning document for education-related information collection requests and the FEDAC 1100, "Data Activity Plan Summary," to obtain information necessary for the legally required February 15 advance notice of proposed education-related information collection requests.

According to an ED official, the FEDAC 1000 already has been unofficially eliminated in favor of OMB's SF-83. He explained that this gradually occurred when ED stopped demanding

its use rather than as a result of any official notification that it was no longer required. ED also realizes that many aspects of its FEDAC 1100 are covered by OMB's SF-83 and supporting statement and has considered revising the form to eliminate its redundant requirements. However, no formal action has been taken.

Since the Paperwork Reduction Act transferred final approval authority from ED to OMB, ED should use the SF-83 where feasible and officially eliminate the redundant and unnecessary aspects of its forms.

Detailed review guidelines needed

Although ED recognizes that it needs its own guidelines to assist its staff in reviewing information collection requests, none have been formalized during the 2 1/2 years the FEDAC review staff has been operational. Instead, ED has relied on OMB review procedures, interim FEDAC review procedures, and the memory and expertise of its experienced reviewers. We were also told that a Department of Health, Education, and Welfare General Administrative Manual, revised September 1979, prescribed policies and procedures for reports clearance to be used by the FEDAC review staff until it could develop its own manual. However, all but one of the FEDAC staff members we contacted about the manual were unaware of its existence, and the one staff member never used it.

The former FEDAC staff director initiated a project to draft a detailed FEDAC review manual but abandoned it for lack of staff.

An ED official agreed that better guidelines were needed to improve the consistency of ED reviews and facilitate the training of staff members. The complexity of the review process, organizational changes, and use of inexperienced staff members make the need for formalized review guidelines imperative.

ENFORCING THE FEBRUARY 15 DEADLINE AND ELIMINATING BOOTLEG FORMS WOULD REDUCE BURDEN

The Congress anticipated that the education amendments would reduce the paperwork burden by providing for advance notice and approval of all information requests planned for each new school year. This provision would allow institutions enough time to assess and prepare responses and would eliminate nonurgent collections which were not approved by the deadline. However, these potential burden reductions have not been fully achieved because ED has not enforced the February 15 approval deadline and has allowed unapproved requests to be imposed on respondents.

For school year 1980-81, ED approved 56 information collection requests which had been listed as proposed but not approved prior to the February 15 advance notice deadline. Supporting documents showed these requests were estimated to take 365,000 respondents over 1 million hours to complete annually. In addition, we identified 30 other approved requests for school years 1980-81 and 1981-82 which were not listed in ED's annual advance notice announcements. These forms were estimated to affect 54,000 respondents and to take over 105,000 hours to complete during a 1-year period. By law these burdens should never have been imposed. (See ch. 2.) ED officials said they plan to begin enforcing this advance approval and notification requirement for the 1982-83 school year.

Respondents were also subjected to requests which either had expired or had never been approved. For example, of 52 requests being used by ED's Office of Student Financial Assistance, 22 requests had not been approved by ED as required by law--16 had been approved by OMB prior to the 1978 education amendments but had expired and 6 had never been approved.

PROCESSING TIME SHOULD BE SHORTENED

The time required for FEDAC staff review and final Secretary approval of information collection requests is too long. ED should reduce this time by obtaining final request approval as soon as feasible after its initial staff review.

The FEDAC staff recommended approval for at least 122 requests from the time it became operational in April 1979 until April 1981. 1/ On the average the staff took over 2 months to reach a decision on these requests. Most were processed within 2 months, 45 took more than 2 months, and 24 were completed in less than 1 month. Although this review time seemed reasonable, the time required to obtain final ED approval was longer than necessary because requests were allowed to accumulate before being submitted for such approval. (Final approval authority was delegated by the Secretary to an assistant secretary in 1979.) This final approval process took an average of 5 weeks for 106 requests approved by the assistant secretary during this 2-year period, and in 15 of these instances at least 2 months elapsed before the requests were finally approved. Other approvals were undated and could not be evaluated for timely processing.

1/The FEDAC staff review files were incomplete. These 122 requests represent those instances where the FEDAC staff's recommended approval could be determined.

ED's system for submitting requests to the assistant secretary for approval accounted for the delay. According to ED officials, requests recommended by the FEDAC staff for approval were not always immediately submitted to the assistant secretary but were allowed to accumulate until a batch was ready to be submitted. Although this practice may have been convenient for the FEDAC staff and the assistant secretary, it lengthened the processing time and delayed the final approvals necessary for proper request preparation and distribution. ED officials said that to help program officials compensate for the lengthy processing time, they sometimes allowed agencies to print their information collection requests using tentative FEDAC approval numbers subject to final approval. This procedure weakens FEDAC staff control and could result in unnecessary printing expenses for information collection requests which may be ultimately disapproved.

Final approval authority for education-related requests was transferred from the Secretary, ED, to the Director, OMB, effective April 1, 1981, by the Paperwork Reduction Act of 1980. However, ED continues to provide an initial FEDAC staff review and a final assistant secretary endorsement transferring the request to OMB for final approval. Each of these steps should be promptly completed to avoid unnecessary processing delays.

ED AND OMB COORDINATING PROCEDURES NEED TO BE REVISED AND FORMALIZED

ED and OMB have not formalized procedures for coordinating their reviews of education-related information collection requests. Their informal procedures need revision to comply with requirements of the education amendments as well as to reduce confusion and improve efficiency. If the Congress passes the legislation recommended in Chapter 2, however, ED/OMB coordinating procedures for education-related paperwork will not be needed.

Like the earlier education amendments, the Paperwork Reduction Act was intended to reduce paperwork and to enhance the economy and efficiency of the Government. It transferred final approval authority for education-related information collection requests from ED to OMB but at the same time preserved and broadened ED's review authority to include agency requests that were either directed primarily to education agencies or institutions or that pertained to Federal education programs. Current education amendments and Paperwork Reduction Act legislation make the Secretary, ED, responsible for identifying and reviewing all education-related requests (including those of other Federal agencies) and the Director, OMB, responsible for granting final approval to such requests. The Paperwork

Reduction Act also makes the Director responsible for providing direction and overseeing the review and approval of information collection requests.

To date, however, no official guidance has been issued, and the informal procedures worked out between the two agencies conflict with legal requirements. ED has sent two informal memorandums to OMB and one informal memorandum to agency clearance officers describing ED's understanding of the review coordination arrangements reached during its discussions with OMB. However, OMB has never officially confirmed these arrangements.

The most recent memorandum addressed to OMB, dated July 27, 1981, stated that all requests initiated within ED and those initiated outside ED that were directed to educational institutions would be reviewed by both ED and OMB. It also pointed out that some uncertainty existed with respect to how requests initiated outside ED which were primarily related to educational programs would be reviewed.

ED officials told us that ED and OMB had agreed that, for joint review purposes, ED requests would be submitted first to ED and then forwarded to OMB. Other agencies' requests, however, would be submitted directly to OMB, which would consider agency recommendations in determining whether or not the requests were education related. ED would assist OMB by scanning the Federal Register for applicable requests not identified by OMB. This arrangement conflicts with the education amendments by placing OMB rather than ED in the primary position of identifying education-related requests.

Past experience indicates that processing delays, extra paperwork, and confusion among agency officials can result when informal coordinating procedures exist and requests are submitted first to OMB for an "education-related" designation. For example, prior to enactment of the Paperwork Reduction Act the Veterans Administration, under OMB direction, submitted all its requests to OMB for approval including those listed in the Federal Register as "education related." Thus, in September 1980 the Veterans Administration forwarded Form 10-1494, "Application for a Grant," to OMB for review and approval to renew the form which was due to expire in November 1980. This approval was requested to provide budget information needed to evaluate continuing grant requirements for health care training institutions.

Over a month after the submission, OMB returned the request and informed the Veterans Administration it was education related and subject to ED review. The agency prepared the additional documents required for submission to ED and forwarded them and the request to ED in December 1980. After several weeks of

inactivity, informal meetings with ED staff, and revisions to the proposed request, ED disapproved the request on March 23, 1981. Thus, the entire review process took nearly 6 months and extended past the old form's expiration date.

OMB's practice of making "education-related" determinations after requests are submitted for approval also could cause approvals to be delayed for up to 1 year. Under this practice, agencies could consider some requests to be noneducation related and submit them to OMB after the February 15 advance announcement and approval deadline legally required for education-related requests. Thus, an OMB "education-related" determination after that date could delay the request's approval and use until it met the succeeding year's February 15 deadline.

Also, informal coordinating agreements are more likely to be misunderstood than carefully worded formal agreements. For example, ED's July 1981 memorandum indicates that even ED is not sure how certain types of requests will be handled.

Unless and until the Congress eliminates ED's review authority over other agencies' education-related requests as recommended in Chapter 2, formal OMB/ED coordinating procedures will be needed. ED and OMB must operate within the existing legal framework of differing authorities and dual reviews while maintaining maximum processing efficiency.

The coordinating procedures worked out to date are unsatisfactory and should be revised and formalized. Under existing legislation they should clearly provide that ED make advance "education-related" designations and review all such information collection requests. Detailed procedures for initial ED review and final OMB approval should be completed and issued as official guidance to provide consistency and uniformity to submitting agencies. OMB should take the lead in such action using its oversight responsibility authorized by the Paperwork Reduction Act of 1980.

CONCLUSIONS

ED needs to improve the effectiveness and efficiency of its paperwork review process. By strengthening its controls, speeding up its review process, and ensuring that its procedures conform to legal requirements, ED could reduce the education-related paperwork burden and better facilitate the collection of information.

ED's review operations should be streamlined and strengthened. Several different forms must be completed to submit information requests for ED review. This creates confusion and places an

unnecessary burden on submitting agencies. Also, ED's paperwork review staff has never been provided with specific review guidelines. Although ED should be commended for planning to address these problems, corrective action is needed.

Additional paperwork burden could be alleviated if ED enforced the legal requirements for request approval. Approving requests after the legally required February 15 deadline and using unauthorized requests places an unjustified burden on respondents.

ED also needs to ensure that requests are expeditiously moved through each step of its review process. Allowing requests to accumulate for batch submission is unnecessarily time consuming and should be discontinued.

Plans for coordinating ED and OMB review responsibilities for education-related requests have not been completed. The existing arrangements are confusing and do not conform to legal requirements. At present OMB has the major role in identifying education-related requests. This conflicts with ED's control and coordination role authorized by the education amendments and could result in missed approval deadlines. ED and OMB need to work together to revise their coordinating procedures to make them efficient and comply with the intent of existing legislation. They should then formalize the procedures, and OMB should issue them as official guidance to eliminate confusion and foster consistent compliance.

RECOMMENDATIONS TO THE SECRETARY OF EDUCATION

We recommend that the Secretary of Education:

--Strengthen and streamline ED's review operations by consolidating the forms required to process information collection requests and formalize guidelines for conducting information collection request reviews.

--Achieve further burden reduction by ensuring that, except under urgent or very unusual circumstances, education-related requests are not imposed on respondents unless they have been approved and publicly announced by February 15 preceding the new school year and by identifying and eliminating unauthorized forms.

--Work with OMB in developing efficient coordinating procedures for reviewing education-related requests and ensure that ED has the major role of identifying such requests as directed by the education amendments of 1978.

RECOMMENDATION TO THE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

We recommend that the Director of the Office of Management and Budget provide direction for the review and approval of education-related information collection requests, as required by the Paperwork Reduction Act of 1980, by issuing official guidance on proper coordinating procedures between ED and OMB.

AGENCY COMMENTS AND OUR EVALUATION

Department of Education

ED agreed with each of our recommendations and stated that corrective action either had been taken or was planned. However, as shown below, additional action is needed.

ED said it eliminated its redundant internal processing forms and, since April 1981, had used only one form--OMB's SF-83. However, in September 1981 an ED official told us that ED's FEDAC 1100, "Data Activity Plan Summary," was still required. He also said that the FEDAC 1000, "Data Plan Information," had not been eliminated by official action. In December we contacted five data collection coordinators and learned that none had received explicit guidance from ED about the status of these forms. ED should ensure that all coordinators receive clear and consistent guidance on its processing requirements.

ED indicated that although 30 of the 86 education-related requests in 1980 and 1981 were not publicly announced, they met the "urgent or very unusual circumstance" exclusion. However, ED did not explain why the remaining 56 requests mentioned in our report were approved after the deadline. Although the deadline had not been enforced, we understand that proper corrective action is now being taken. OMB's staff have told ED officials that, from now on, OMB will not approve education-related requests which do not meet the February 15 deadline. ED officials agreed to conform to this position and to implement our recommendation. ED said it intends to enforce the February 15 deadline during 1982.

ED did not comment on how it planned to implement our recommendation to identify and eliminate unauthorized forms.

ED agreed with our proposal to expeditiously review information collection requests and stated that, as a result of steps taken, it had reduced its review process time from an average of 72 days to 27 days. Consequently, the proposal was not included as a recommendation. ED should be commended for such an accomplishment. We did not verify ED's figures, however.

ED agreed that it should work with OMB in developing efficient coordinating procedures. ED stated, however, that although no official coordinating procedures exist, an informal arrangement between the two agencies establishes procedures for identifying requests that are education related. It added that, "* * *the informal arrangement between OMB and FEDAC does not conflict with statutory requirements as asserted in the GAO report." We do not believe these informal arrangements are adequate. As stated on page 20, the July 1981 memorandum which discussed the informal arrangements also conceded that some uncertainty exists regarding how education-related requests initiated outside ED will be reviewed. Furthermore, the Control of Paperwork Amendments of 1978, as amended by the Paperwork Reduction Act of 1980, made the Secretary, ED, responsible for identifying all education-related requests. However, under the informal arrangements, OMB is responsible for determining if the requests submitted directly to it are education related.

ED disagreed with our statement that OMB's practice of making "education-related" determinations after requests are submitted for approval also could cause approvals to be delayed for up to 1 year. ED indicated that the 1-year delay could not occur because OMB must approve or disapprove the requests within 60 days of the submission. However, ED missed our point. We were not addressing the requirement for OMB to make an approval/disapproval decision within 60 days. We were discussing the delay that could occur if OMB made an "education-related" determination too late for the submitting agency to meet the February 15 deadline required for education-related requests. For example, an agency may submit a request in February thinking the request is not education related and thus not required to meet the deadline. An "education-related" determination by OMB at this time would come too late for the agency to meet the deadline. Thus, the request could be disapproved until the next school year, creating a 1-year delay.

Office of Management and Budget

OMB agreed that official guidance on proper coordinating procedures between ED and OMB is needed. OMB stated it was revising its Circular A-40, "Clearance of Public Reporting and Recordkeeping Requirements under the Federal Reports Act," and added that it believed this change would implement our recommendation. We encourage OMB to expeditiously implement this recommendation. OMB Circular A-40 has been under revision for over 2 years.

CHAPTER 4

ED'S AUTOMATED INDEXING SYSTEM NEEDS BETTER PLANNING AND MANAGEMENT

More effective management and planning would improve the usefulness of ED's initially designed automated indexing system and help ensure that it is efficiently developed. Although ED purchased an education information redundancy checking system in 1979, it was never properly managed and was seldom used. 1/ Currently, plans to change and update the system are being made without appropriate supporting feasibility and cost analyses.

EXISTING SYSTEM WAS INADEQUATE, POORLY MANAGED, AND SELDOM USED

In 1977 the Department of Health, Education, and Welfare signed a $340,553 contract for the development of an education information redundancy checking system. Contract work was completed in 1979, and the developed system generally met the contractual requirements. Since it met some of the education amendment requirements of the automated indexing system, the Department decided to use it as a vehicle for complying with the law. The redundancy checking system, however, was poorly managed and ineffective. Fiscal year 1978 data used in the initial inventory was incomplete and never updated, over 1 year passed before a critical ADP disk which had been inadvertently erased was replaced, and the system was seldom used.

Data base was incomplete and never updated

The system's data base was never complete or updated. Developed from the Department's 1978 Data Acquisition Plan, the data base included survey instruments from the Department's Education Division and Office for Civil Rights and was limited to data available as of September 1978. Thus, the most current data was over 6 months old when the system became operational in April 1979. In addition, the contractor informed the Department that the inventory contained several significant omissions in past and current survey instruments. These omissions, coupled with increasingly outdated information, made the system ineffective from the very beginning.

1/At that time ED was part of the Department of Health, Education, and Welfare.

Replacement of critical data was not actively pursued

In mid-1980, key data was inadvertently erased from the system during a conversion operation. This loss rendered the system totally useless since the erased data file provided access to the rest of the system. ED took no action to replace the file until after we inquired about the situation in March 1981. Then, at ED's request, the contractor agreed to recreate the lost data from backup files. ED obtained the contractor-prepared tape in June 1981 but did nothing with it and temporarily misplaced it. After we made several additional inquiries, a staff member finally located the replacement tape in August and initiated efforts to determine if it was complete and could access the system's automated data files. Thus, over 1 year after the data was destroyed the system remained inoperable.

System was seldom used

Although the system was operational for about 1 year before the key file was erased, it was seldom used by the FEDAC staff in its paperwork review activities. Several factors contributed to this underutilization.

The system did not provide detailed data which could be readily scanned to identify redundancies. Instead it provided lists of potentially redundant instruments which the staff then had to review individually to determine if a redundancy existed. Also, one official told us that the staff relied as much on several experienced reviewers to identify redundancies as they did on the system. Another official said the system was never used other than on an experimental basis. The fact that the system was inoperable for over a year while little effort was made to rehabilitate it adds credence to the view that it was seldom used by the staff.

COMPREHENSIVE PLANNING AND ANALYSES SHOULD PRECEDE SYSTEM DEVELOPMENT

Although the redundancy checking system was seldom used, and efforts to replace the key data were slow, ED now plans to revitalize the system and expand it into the automated indexing system required by law. ED has requested approximately $131,000 for this project for fiscal year 1982. However, ED's plans are incomplete and are not supported by appropriate feasibility and cost analyses. In addition, coordination with OMB in its development of a similar system is needed.

ED's written plan supporting its budget request for the system's revision and expansion consisted of a two-page summary. The summary essentially stated that ED plans to:

--Make the existing system operational.

--Update the system to incorporate education-related data collection instruments that have been cleared during the last 3 years and expand from its limited base to the entire Federal Government.

--Develop software for the data indexing component.

--Develop protocol for interfacing with the Federal Information Locator System OMB is required to develop under the Paperwork Reduction Act.

--Maintain and operate the system.

Feasibility and cost studies were not mentioned. The plan indicated that the bulk of the funding will be spent on contractor services but did not indicate how the contractor would be used.

ED officials originally told us that they planned to convert the old system to a computer language compatible with their in-house computer. They justified this plan by saying that, in the long run, they believed this approach would be more convenient and economical than other alternatives. Later, in discussing their written plan, however, the officials said that two additional alternatives would be considered: (1) merge the system into the OMB locator system when OMB develops it or (2) leave the system on a computer at the Department of Health and Human Services or at some commercial computer facility and access it through remote terminals. They assured us that feasibility and cost studies would be conducted before major steps were taken.

Under the Paperwork Reduction Act, OMB is required to develop a Government-wide Federal Information Locator System by April 1, 1982. In 1979 a special task force reported that several features of ED's system could be employed by the planned Federal locator system. Although ED plans to interface its system with OMB's, an ED official and an OMB official indicated the agencies had not discussed this approach with each other.

Although ED officials said feasibility and cost studies would be conducted, the budget request does not reflect planning for feasibility or cost studies. ED officials told us they were not sure if such studies would be done by contractors or developed in-house, and details showing feasible alternatives, timetables, or other study-related information were not available.

More work needs to be done before money is spent on budget requested items such as system updating or software development.

Initially, the existing system should be evaluated for potential usefulness. This and other appropriate information should then be used to determine feasible alternatives along with associated costs and benefits. Only after this information is carefully evaluated should a decision be made about the future of the existing system.

CONCLUSIONS

ED has not complied with the 1978 education amendments requirement that an automated indexing system be developed and used to check for redundant items. Although a system meeting some of the legislative objectives was initiated prior to the enactment of the amendments, its capabilities were limited, it was not managed effectively, and it was seldom used.

ED's limited use of the system and failure to effectively maintain it significantly restricted opportunities for the system to serve as an effective substitute for the required automated indexing system by identifying redundant information requests.

ED has requested funds to update and expand the existing system without conducting supporting studies to determine if this is the most feasible and cost-beneficial approach to meeting the law's requirement. Unless it conducts appropriate feasibility and cost analyses, it will be unable to determine the best approach. More comprehensive planning is needed before a final decision is made. ED also needs to coordinate with OMB in its development of a locator system to prevent a redundant ED system from being developed.

RECOMMENDATIONS TO THE SECRETARY OF EDUCATION

We recommend that the Secretary of Education:

--Coordinate with OMB in its development of the Federal Information Locator System to ensure that ED and OMB do not develop redundant systems and consider OMB's system as one alternative for meeting ED's legal requirement for an automated indexing system.

--Conduct feasibility and cost analyses of various automated indexing system alternatives before updating and expanding the existing system or converting it to another computer language.

--Analyze the completed studies to select the best alternative, comprehensively plan for implementing this alternative, and then develop and use an effective automated indexing system.

AGENCY COMMENTS AND OUR EVALUATION

ED concurred with our recommendation to coordinate with OMB in its development of the Federal Information Locator System and to consider OMB's system as an alternative for meeting ED's legal requirement for an automated indexing system. ED said it was already closely coordinating with OMB in developing its locator system.

ED also said it had examined alternatives and had selected a "rudimentary," "off-the-shelf" mini-computer package as the best way of meeting its automated indexing system needs until OMB's locator system becomes operational. However, ED did not state that it had followed our recommendation to conduct feasibility and cost analyses before taking such action. Further followup with a knowledgeable ED official indicated that no such studies had been conducted. Thus, it appears that ED has not fully complied with our recommendation.

CONTROL OF PAPERWORK AMENDMENTS OF 1978 AS AMENDED

(AS AMENDED BY SEC. 4(a), PUBLIC LAW 96-511--DEC. 11, 1980)

Control of Paperwork Amendments of 1978.
20 USC 1221-3 note.

PART B—PAPERWORK CONTROL

SHORT TITLE

SEC. 1211. This part may be cited as the "Control of Paperwork Amendments of 1978".

GENERAL EDUCATION PROVISIONS ACT AMENDMENT

20 USC 1221e-1.

SEC. 1212. (a) Paragraph (3) of section 406(b) of the General Education Provisions Act is amended by inserting ", including State agencies responsible for postsecondary education," immediately after "local educational agencies".

(b) The General Education Provisions Act is amended by adding after section 400 the following new section:

"CONTROL OF PAPERWORK

Coordination.
20 USC 1221-3.

"SEC. 400A. (a)(1)(A) In order to eliminate excessive detail and unnecessary and redundant information requests and to achieve the collection of information in the most efficient and effective possible manner, the Secretary shall coordinate the collection of information and data acquisitioned activities of all Federal agencies, (i) whenever the respondents are primarily educational agencies or institutions, or (ii) whenever the purpose of such activities is to request information needed for the management of, or the formulation of, policy related to Federal education programs or research or evaluation studies related to the implementation of Federal education programs. 94 Stat. 2826

Federal Education Data Acquisition Council, establishment, membership, and duties.

"(B) There is hereby established a Federal Education Data Acquisition Council, to consist of members appointed by the Secretary who shall represent the public and the major agencies which collect and use education data, including one representative each of the Office of Management and Budget and of the Office of Federal Statistical Policy and Standards. The members representing the public may be appointed for not more than three years. The Council shall advise and assist the Secretary with respect to the improvement, development, and coordination of Federal education information and data acquisition activities, and shall review the policies, practices, and procedures established by the Secretary. The Council shall meet regularly during the year and shall be headed by an individual from an agency which has expertise in data collection but which undertakes no major data collection of education data.

Definitions.

"(2) For the purposes of this section, the term—

"(A) 'information' has the meaning given it by section 3502 of title 44, United State Code;

"(B) 'Federal agency' has the meaning given it by section 3502 of the same title; and

"(C) 'educational agency or institution' means any public or private agency or institution offering education programs.

Review and coordination.

"(3)(A) The Secretary shall review and coordinate all collection of information and data acquisition activities described in paragraph (1)(A) of this subsection, in accordance with procedures approved by the Federal Education Data Acquisition Council. Such procedures shall be designed in order to enable the Secretary to determine whether proposed collection of information and data acquisition activities are excessive in detail, unnecessary, redundant, ineffective, or excessively costly, and, if so, to advise the heads of the relevant Federal agencies.

94 Stat. 2826

"(B) No collection of information or data acquisition activity subject to such procedures shall be subject to any other review, coordination, or approval procedure outside of the relevant Federal agency, except as required by this subsection and by the Director of the Office of Management and Budget under the rules and regulations established pursuant to chapter 35 of title 44, United States Code. If a requirement for information is submitted pursuant to this Act for review, the timetable for the Director's approval established in section 3507 of the Paperwork Reduction Act of 1980 shall commence on the date the request is submitted, and no independent submission to the Director shall be required under such Act.".

"(C) The procedures established by the Secretary shall include a review of plans for evaluations and for research when such plans are in their preliminary stages, in order to give advice to the heads of Federal agencies regarding the data acquisition aspects of such plans.

Assistance and plan requirement.

"(b)(1) The Secretary shall assist each Federal agency in performing the review and coordination required by this section and shall require of each agency a plan for each collection of information and data acquisition activity, which shall include—

"(A) a detailed justification of how information once collected will be used;

"(B) the methods of analysis which will be applied to such data;

"(C) the timetable for the dissemination of the collected data; and

"(D) an estimate of the costs and man-hours required by each educational agency or institution to complete the request and an estimate of costs to Federal agencies to collect, process, and analyze the information, based upon previous experience with similar data or upon a sample of respondents.

"(2) In performing the review and coordination required by this section, the Secretary shall assure that—

"(A) no information or data will be requested of any educational agency or institution unless that request has been approved and publicly announced by the February 15 immediately preceding the beginning of the new school year, unless there is an urgent need for this information or a very unusual circumstance exists regarding it;

"(B) sampling techniques, instead of universal responses, will be used wherever possible, with special consideration being given to the burden being placed upon small school districts, colleges, and other educational agencies and institutions; and

"(C) no request for information or data will be approved if such information or data exist in the same or a similar form in the automated indexing system required to be developed pursuant to subsection (d).

Comments.

"(3) Each educational agency or institution subject to a request under the collection of information and data acquisition activity and

their representative organizations shall have an opportunity, during a thirty-day period, to comment to the Secretary on the collection of information and data acquisition activity. The exact data instruments for each proposed activity shall be available to the public upon request during this comment period.

"(4) No changes may be made in the plans for the acquisition of that information or data, except changes required as a result of the review described in this section, after such plans have been finally approved under this section, unless the changed plans go through the same approval process.

Waiver.

"(5) The Secretary may waive the requirements of this section for individual research and evaluation studies which are not designated for individual project monitoring or review, provided that—

"(A) the study shall be of a nonrecurring nature;

"(B) any educational agency or institution may choose whether or not to participate, and that any such decision shall not be used by any Federal agency for purposes of individual project monitoring or funding decisions;

"(C) the man-hours necessary for educational agencies and institutions to respond to requests for information or data shall not be excessive, and the requests shall not be excessive in detail, unnecessary, redundant, ineffective, or excessively costly; and

Announcement in Federal Register. Notification.

"(D) the Federal agency requesting information or data has announced the plans for the study in the Federal Register.

The Secretary shall inform the relevant agency or institution concerning the waiver decision within thirty days following such an announcement, or the study shall be deemed waived and may proceed. Any study waived under the provisions of this subsection shall be subject to no other review than that of the agency requesting information or data from educational agencies or institutions.

"(6) Nothing in this section shall be construed to interfere with the enforcement of the provisions of the Civil Rights Act of 1964 or any other nondiscrimination provision of Federal law.

42 USC 2000a note.

"(c) The Secretary shall, insofar as practicable, and in accordance with the provisions of this Act, provide educational agencies and institutions and other Federal agencies, pursuant to the requirement of section 406(f)(2)(A), with summaries of information collected and the data acquired by Federal agencies, unless such data were acquired on a confidential basis.

20 USC 1221e-1.

"(d) The Secretary shall, insofar as practicable—

Standard definitions and terms.

"(1) develop standard definitions and terms consistent, wherever possible, with those established by the Office of Federal Statistical Policy and Standards, Department of Commerce, to be used by all Federal agencies in dealing with education-related information and data acquisition requests;

Automated indexing system.

"(2) develop an automated indexing system for cataloging all available data;

Uniform reporting dates.

"(3) establish uniform reporting dates among Federal agencies for the information and data acquisition required after review under this section;

Listings, publication.

"(4) publish annually a listing of education data requests, by Federal agency, and for the programs administered in the Education Division, publish a listing annually of each such program with its appropriation and with the data burden resulting from each such program; and

Authority, identification.

"(5) require the Federal agency proposing the collection of information or data acquisition activity to identify in its data instrument the legislative auhority specifically requiring such col-

lection, if any, and require the responding educational agency or institution to make the same identification if it in turn collects such information or data from other agencies or individuals.

"(e)(1) Subject to the provisions of paragraph (2), the Secretary shall develop, in consultation with Federal and State agencies and local educational agencies, procedures whereby educational agencies and institutions are permitted to submit information required under any Federal educational program to a single Federal or State educational agency. Procedures, consultation.

"(2) Any procedures developed under paragraph (1) shall be considered regulations for the purpose of section 431 and shall be submitted subject to disapproval in accordance with section 431(e) of this Act for a period of not to exceed 60 days computed in accordance with such section. 20 USC 1232.

"(f) The Secretary shall submit a report to the Congress not less than once every three years, describing the implementation of this section. Such report shall contain recommendations for revisions to Federal laws which the Secretary finds are imposing undue burdens on educational agencies and institutions, and such recommendations shall not be subject to any review by any Federal agency outside the Department. Report and recommendations to Congress.

"(f)(1) The Secretary is authorized to make grants from sums appropriated pursuant to this subsection to State educational agencies, including State agencies responsible for postsecondary education, for the development or improvement of education management information systems. Education management information systems, grants.

"(2) Any State educational agency is eligible for a grant of funds under this subsection subject to the following conditions: Eligibility.

"(A) The agency agrees to use such funds for the development or improvement of its management information system and agrees to coordinate all data collection for Federal programs administered by the agency through such a system.

"(B) The agency agrees to provide funds to local educational agencies and institutions of higher education for the development or improvement of management information systems when such grants are deemed necessary by the State educational agency.

"(C) The State agency agrees to take specific steps, in cooperation with the Secretary and with local educational agencies or institutions of higher education in the State, as appropriate, to eliminate excessive detail and unnecessary and redundant information requests within the State and to achieve the collection of information in the most efficient and effective possible manner so as to avoid imposing undue burdens on local educational agencies or institutions of higher education.

"(g) For the purpose of carrying out this subsection— Appropriation authorization.

"(1) there are authorized to be appropriated for salaries and expenses $600,000 for fiscal year 1979, $1,000,000 for fiscal year 1980, and $1,200,000 for each of the two succeeding fiscal years;

"(2) there are authorized to be appropriated for grants under paragraph (6) the sums of $5,000,000 for fiscal year 1979, $25,000,000 for fiscal year 1980, and $50,000,000 for each of the two succeeding fiscal years; and

"(3) the sums appropriated according to paragraphs (1) and (2) shall be appropriated as separate line items.".

(c) Section 406 of such Act is amended— 20 USC 1221e-1.

(1) by striking out subsection (g), and

(2) by redesignating subsection (h), and all references thereto, as subsection (g).

SEC. 1213. Subpart 2 of part C of the General Education Provisions Act is amended by adding immediately before section 431 thereof the following new section:

"APPLICATIONS

20 USC 1231g.

"SEC. 430. (a) Notwithstanding any other provision of law, unless expressly in limitation of the provisions of this section, the Commissioner is authorized to provide for the submission of applications for assistance effective for three fiscal years under any applicable program with whatever amendments to such applications being required as the Commissioner determines essential.

Uniform submission dates, establishment.

"(b) The Commissioner shall, insofar as is practicable, establish uniform dates during the year for the submission of applications under all applicable programs and for the approval of such applications.

"(c) The Commissioner shall, insofar as is practicable, develop and require the use of—

"(1) a common application for grants to local educational agencies in applicable programs administered by State educational agencies in which the funds are distributed to such local agencies pursuant to some objective formula, and such application shall be used as the single application for as many of these programs as is practicable;

APPLICATIONS

"(2) a common application for grants to local educational agencies in applicable programs administered by State educational agencies in which the funds are distributed to such local agencies on a competitive or discretionary basis, and such application shall be used as the single application for as many of such programs as is practicable; and

"(3) a common application for grants to local educational agencies in applicable programs which are directly administered by the Commissioner, and such application shall be used as the single application for as many of these programs as is practicable.".

DRAFT LANGUAGE FOR LEGISLATIVE CHANGE

The following legislative change would limit the Department of Education's information collection request review authority to its own Department.

(a) Section 400A of the General Education Provisions Act is amended by

(1) amending subsection (a)(1)(A) to read as follows:

"(A) In order to eliminate excessive detail and unnecessary and redundant information requests and to achieve the collection of information in the most efficient and effective possible manner, the Secretary shall coordinate the collection of information and data acquisition activities of the Department of Education.",

(2) inserting a period after "costly" and deleting the remainder of the last sentence in subsection (a)(3)(A),

(3) striking out "heads of Federal agencies" after "to the" in subsection (a)(3)(C) and inserting in lieu thereof "Department's program officials",

(4) striking out "assist each Federal agency in performing the review and coordination required by this section and shall require of each agency" after "Secretary shall" in subsection (b)(1) and inserting in lieu thereof "require of program officials",

(5) striking out "Federal agencies" after "costs to" in subsection (b)(1)(D) and inserting in lieu thereof "the Department",

(6) striking out "any Federal agency" after "by" in subsection (b)(5)(B) and inserting in lieu thereof "the Department",

(7) amending subsection (b)(5)(D) to read as follows: "(D) the plans for the study have been announced in the Federal Register.", and deleting the remainder of the subsection,

(8) striking out "Federal agencies" after "by" in subsection (c) and inserting in lieu thereof "the Department",

(9) striking out "all available" after "cataloging" in subsection (d)(2) and inserting in lieu thereof "Department",

(10) amending subsection (d)(4) to read as follows:

"(4) publish annually a listing of Department data requests, which shall include the program for which such data has been requested with its appropriation and with the data burden resulting from each such request; and", and

(11) striking out "require the Federal agency proposing the collection of information or data acquisition activity to identify in its data" in subsection (d)(5) and inserting in lieu thereof "identify in each proposed data collection".

(b) Section 400A(a)(3)(B) of the General Education Provisions Act is repealed.

COMPARISON OF ED/FEDAC RESPONSIBILITIES UNDER EXISTING AND PROPOSED LEGISLATION

1978 Control of Paperwork Amendments	Proposed Legislation
FEDAC responsibilities	
The Council shall meet regularly to:	
--Represent the public and the major agencies which collect and use education data	Same
--Advise and assist the Secretary with respect to improvement, development, and coordination of Federal education information collections	Same
--Review Federal education information policies, practices, and procedures established by the Secretary	Sam
Secretary, ED, responsibilities	
The Secretary shall:	
--Review and coordinate education-related information collections of all Federal agencies in accordance with procedures approved by FEDAC	Review and coordinate ED information collections in accordance with procedures approved by FEDAC
--Review preliminary plans for evaluations and for research to advise Federal agency heads about data collection aspects	Review preliminary plans for evaluations and for research to advise ED program officials about data collection aspects
--Assist each Federal agency in performing required review and coordination and require each agency to submit a plan for each education-related information collection request	Require ED program officials to submit a plan for each information collection request

APPENDIX III

1978 Control of Paperwork Amendments	Proposed Legislation
--Develop, in consultation with Federal, State, and local educational agencies, procedures for submitting required Federal education program information to a single Federal or State agency	Same
--Report to the Congress at least every 3 years, describing ED's implementation of the law and recommending revisions to burdensome Federal laws	Same
--Assure that:	
Except under unusual or urgent circumstances, Federal education-related requests are approved and publicly announced by February 15 preceding the beginning of the new school year	Same, except limited to ED initiated requests
Sampling techniques are used wherever possible	Same
No information request is approved if similar information already exists in the automated indexing system to be developed	Same, except limited to ED initiated requests
The Secretary shall, insofar as practicable:	
--Provide educational agencies and institutions and other Federal agencies with summaries of nonconfidential information collected by Federal agencies	Same, except limited to information collected by ED
--Develop standard education-related definitions and terms to be used by all Federal agencies	Same
--Develop an automated indexing system for cataloging all available data	Same, except limited to ED data
--Establish uniform reporting dates among Federal agencies for required information	Same

APPENDIX III

1978 Control of Paperwork Amendments	Proposed Legislation
--Publish an annual list of education-related data requests by Federal agency, and for ED programs, include program appropriation and related burden information	Publish annually a list of ED data requests, including the applicable programs and their appropriations and the data burden resulting from each request
--Require Federal agencies and educational agencies collecting information for them, to identify in their proposed data collection instruments the legislative authority for the collection	Same, except limited to ED proposed instruments
--Develop common applications and establish uniform application dates for specified categories of Federal education-related grants	Same
The Secretary may waive review and approval requirements for individual research and evaluation studies under specified conditions such as studies of a nonrecurring nature	Same
The Secretary is authorized to make grants to help State agencies develop or improve their education management information systems	Same

APPENDIX IV

UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202

FEB 26 1982

Mr. Gregory J. Ahart
Director
Human Resources Division
United States General Accounting Office
Washington, D.C. 20548

Dear Mr. Ahart:

The purpose of this letter is to provide you with the Department of Education's (ED) response to your Draft Report on ED's implementation of the Control of Paperwork Amendments of 1978.

In essence, we agree with many of the points raised in the report. Regarding these, as well as some with which we disagree, I have enclosed a paper setting out the Department's positions and rationale. However, I do wish to draw your attention to several problems noted in the Report which I believe the Department has resolved, or made major progress toward resolving, since the time the GAO reviewers completed their work.

First, the Report recommends that the Department include in its annual listing of data collection instruments to be used in the upcoming school year only those instruments to which the Office of Management and Budget (OMB) has given final approval. We recognize that in the past, the Department's listing included instruments intended for use but not yet approved. However, with one exception -- an Office for Civil Rights Survey -- the Federal Education Data Acquisition Council staff (FEDAC) and OMB have approved all of the 233 reports listed in the Department's current annual notice. Further, OMB's staff have stated they will not approve any reports not included in the February listing. Thus, we believe we have rectified the deficiency noted in the GAO Report. (See enclosure, sections 4 and 5.)

Second, the Report mentions a need to streamline the Department's review process. While we address this issue in detail in the enclosure (section 4), we would like to point out that, during the time the GAO was conducting its review, we created the Division of Education Data Control (DEDC) designed to accomplish this end. We would like to emphasize that since the DEDC became fully operational, we have reduced the average review time from 72 to 27 calendar days while at the same time greatly improving the quality of the reviews and reducing the number of staff assigned to this function. We also wish to emphasize that we have achieved both of these significant accomplishments during a time in which the number of forms proposed for use, and thus the number of reviews, have increased.

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Page 2 - Mr. Gregory J. Ahart

Finally, we concur that there should be more formal procedures worked out between OMB and FEDAC. We have taken some steps toward establishing such procedures through joint meetings held between the two organizations. We expect to continue those meetings and to seek the guidance of the Council prior to establishing final procedures.

We appreciate the opportunity to comment on this Draft Report.

Sincerely,

Kent Lloyd
Deputy Under Secretary
for Management.

Enclosure

ENCLOSURE

Comments of the Department of Education to the General Accounting Office's draft report entitled "Better Control Over Education-Related Federal Paperwork Needed to Reduce Burden and Related Costs"

1. GAO Recommendation

The Secretary of Education should reactivate the Federal Education Data Acquisition Council and ensure that it meets regularly and carries out its duties as required by law.

Department Comment

We concur. Within a three year period the Council was convened twice to review policy matters and to establish interim regulations. The infrequent meetings of the Council were due to several factors including: the establishment of the Department of Education in 1979; the transfer of the Federal Education Data Acquisition Council (FEDAC) from the Department of Health, Education, and Welfare (HEW) to the Department of Education (ED) in 1980; the resignation of the chairman; and the internal reassignment of the FEDAC function from NCES to the Office of Management (OM) in 1981. These actions necessitated changes in the direction and operation of the Council.

As of this date, eight public members have been appointed and the names of nine Federal members have been submitted for approval. We have also proposed replacements for three public members whose terms expire this March. We have scheduled a meeting of the Council for April 1982.

2. GAO Recommendation

The Secretary should take steps to implement the education amendments' requirements including such provisions as reports to the Congress, procedures for submitting required information to a single agency, and uniform reporting dates.

Department Comment

We concur. The report indicates that the Department has not taken steps which would permit all State agencies to submit applications for grants administered by SEA's to a single agency.

Section 430(c) of P.L. 95-561 states that:

> The Commissioner shall, insofar as is practicable, develop and require the use of -

(1) a common application for grants to local educational agencies in applicable programs administered by State educational agencies in which the funds are distributed to such local agencies pursuant to some objective formula.

Insofar as is practicable, the Department has established uniform reporting dates for Federal applications. The vast majority of such applications depend on Congressional appropriations and the Department has operated its fiscal budget based on a continuing resolution since 1978.

However, the Department has not submitted a plan to Congress to recommend such procedures. We plan to discuss this issue during the April Council meeting and, depending on the outcome of those discussions, address this issue in this year's report to the Congress.

3. GAO Recommendation

The Congress should amend the Control of Paperwork Amendments of 1978 to limit ED's review and coordination authority to ED information collection requests.

Department Comment

While this recommendation is addressed to the Congress, we believe that FEDAC's role has been consistent with the intent of the Congress.

Currently, well over 83% of the paperwork burden projected for school year 1982-83 is imposed on education agencies and institutions by non-ED agencies including the Departments of Agriculture and Labor. During 1981, FEDAC has successfully eliminated redundant data collection proposals submitted by ED, EEOC, Bureau of Census, the Veterans Administration, and the National Science Foundation. Without the centralized FEDAC review, such duplication would not have received such close attention.

4. GAO Recommendation

The Secretary should strengthen and streamline the review operations by consolidating the forms required to process information collection requests and formalize guidelines for conducting reviews.

Department Comment

We concur. Prior to April 1, 1981, there were three separate internal forms for the review process. These forms were redundant and have been eliminated. Since April 1, FEDAC uses one form -- the OMB SF 83 and its attachments as the data core for the review process and for abstracting information for the February annual announcement of data collection instruments to be used in the coming school year. In the past, the FEDAC analysts spent an inordinate amount of time reviewing clearance packages which resulted in time delays. Based on new management initiatives, the review process has been streamlined and shortened.

The FEDAC staff members have undergone extensive training to improve the review process. This training was carried out by the former staff from the National Center for Educational Statistics (NCES) and by others who had expertise in the area of information resource management. A policy directive scheduled for completion in April will establish uniform guidelines for information collection.

The program assistant secretaries continue to be the approving policy officials for requesting OMB/FEDAC approval. However, the Deputy Under Secretary for Management has delegated the responsibility for sign-off for final FEDAC approval to the Executive Director of FEDAC. These procedures as well as others have shortened the review process from 72 to an average of 27 calendar days.

5. GAO Recommendation

The Secretary should ensure that except for urgent need or very unusual circumstances education-related requests should not be imposed unless approved and announced in the Federal Register.

Department Comment

We concur. The Secretary has ensured that except for urgent need or very unusual circumstances education-related requests have not been imposed unless approved and announced in the Federal Register. The urgent need or unusual circumstances related to thirty approved requests for data collections that were not published in the Federal Register February listing for fiscal years 1981-82 were due to several factors.

First, the enactment of the Paperwork Control Act in 1979 did not provide program sponsors with sufficient time to notify the public about data collection activities for school year 1980-81 prior to February of 1980.

Second, the Paperwork Control Act, section 400A(b)(2), provides the Secretary with the authority to waive the approval and public announcements if there is an urgent need for this information or if a very unusual circumstance exists regarding such collection. The waiver requests between school years 1980-81 to 1981-82 were granted because the sponsors provided written evidence that in fact the requests could not have been approved and published before the February date because of the nature of the data collection activities. These activities included evaluation studies where contracts by outside agencies were recently awarded.

In 1982, the Department intends to approve all data collection activities prior to the February listing. This February 1982 Federal Register will list 233 approved reports totaling over 41 million burden hours from 14 different departments or agencies.

However, the statute makes provisions for granting waivers for those circumstances where an urgent need for this information or a very unusual circumstance that precluded approval and publication prior to February 15. In most instances the waivers granted were based upon such factors as mid-year enactment of new legislation, congressional changes in eligibility requirements, or non-ED agency requests that were not covered by the Paperwork Control Act prior to April 1981.

6. GAO Recommendation

The Secretary should expeditiously complete each step of the information collection request review process.

Department Comment

We concur. As a result of steps already taken, ED's review process has been reduced from an average of 72 days to 27 days.

7. GAO Recommendations

The Secretary should work with OMB to develop efficient coordinating procedures for reviewing education-related requests and ensure that ED has major role of identifying such requests.

Department Comment

We concur. At the time of the review, FEDAC and OMB had not established formal procedures for the review process. On April 1, 1981, the effective date of the Paperwork Reduction Act, a formal relationship between FEDAC and OMB was established. Through the use of SF 83 and the OMB Reports Management System (RMS) which links FEDAC to OMB's main computer, common data bases are used by both. Through agreements between FEDAC and OMB (see enclosed July Memorandum), procedures exist for the identification of those requests that are education related.

The Report notes that there is no official guidance from OMB to FEDAC. At this time, this statement is true. However, the informal arrangement between OMB and FEDAC does not conflict with statutory requirements as asserted in the GAO Report.

Further, the Report also claimed that "OMB's policy of making "education-related" determinations after requests are submitted for approval also could cause approvals to be delayed for up to one year." This statement is inaccurate in that the Paperwork Reduction Act requires a determination within sixty days of the submittal of the clearance request.

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Page 5

8. GAO Recommendation

The Director of the Office of Management and Budget provide direction for the review and approval of education-related information collection requests, as required by the Paperwork Reduction Act of 1980, by issuing official guidance on proper coordinating procedures between ED and OMB.

Department Comment

While this recommendation is directed toward the OMB, we concur.

9. GAO Recommendation

The Secretary should coordinate with the OMB in the development of the Federal Information Locator System (FILS) to ensure that ED and OMB do not develop redundant systems and consider OMB's system as one alternative for meeting ED's legally required automated indexing needs.

Department Comment

We concur. The Department is maintaining close coordination with OMB in the development of the FILS. We understand that development of this system is moving ahead and a prototype system will be operational in FY 1983. In addition, we have examined alternatives and, as an interim measure, we have established an indexing system that meets statutory requirements.

The following is background information on the Department's activities in developing the automated indexing system. The indexing system undertaken by NCES, called the Redundancy Checking System (RCS), was installed in 1980. However, in 1981/82 funding to operate this system was not available to FEDAC. We have examined the RCS and FILS and find that RCS in its proposed configuration is too expensive and cumbersome to operate and that the delayed availability of the FILS necessitates other systems support options.

The system selected is an off-the-shelf package which operates on a recently installed mini-computer in ED. This system is complimented with manual procedures and, though rudimentary, is satisfactory under the budgetary limitations and until the FILS becomes available.

APPENDIX V

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

March 4, 1982

Mr. William J. Anderson
Director, General Government
Division
United States General Accounting
Office
Washington, D.C. 20548

Dear Mr. Anderson:

This is in response to your letter of January 27 to Director Stockman regarding the General Accounting Office (GAO) draft report to the Congress entitled, "Better Control Over Education-Related Federal Paperwork Needed to Reduce Burden and Related Costs."

As regards your recommendation that FEDAC's review authority be limited to data collection activities sponsored by the Department of Education, we note that the Administration's proposed legislation for the creation of the Foundation for Education Assistance does not include provisions for the continuation of FEDAC. As OMB has stated before, we believe that the responsibilities entrusted to FEDAC duplicate those vested in OMB by the Paperwork Reduction Act of 1980. Therefore, we view the continuation of FEDAC as unnecessary.

However, since FEDAC is to remain in operation until our legislative proposal is enacted, we appreciate this opportunity to comment on the one recommendation that would affect OMB. That recommendation requests the Director of OMB to:

> "Provide direction for the review and approval of education-related information collection requests, as required by the Paperwork Reduction Act of 1980, by issuing official guidance on proper coordinating procedure between Ed and OMB."

OMB is currently revising its Circular A-40 "Clearance of Public Reporting and Recordkeeping Requirements under the Federal Reports Act," to incorporate, among other changes,

APPENDIX V

specific submission procedures for information collections that are to be reviewed by the Federal Education Data Acquisition Council (FEDAC) and approved by OMB. We believe this change will implement the GAO recommendation to the Director of OMB.

We appreciate this opportunity to comment on your draft.

Sincerely,

Christopher DeMuth
Administrator for Information
and Regulatory Affairs

(009708)

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